

Copy of Transcript

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CIVIL ACTION NUMBER: 04-11924-RGS

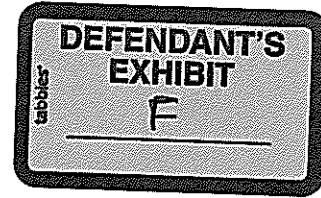
IAN J. BROWN, JAMES BROWN,
and BARBARA BROWN,

Plaintiff,

VS

UNITED STATES OF AMERICA,
VERIZON NEW ENGLAND, INC.,
and BOSTON EDISON COMPANY
d/b/a NSTAR ELECTRIC,

Defendant.



DEPOSITION OF

PETER D. DION

October 17, 2005
12:00 p.m.

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Lauren Sullivan, Notary Public and Professional
Shorthand Reporter within and for
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1 00005.

2 (Exhibit-D, Bates stamped
3 document 00005, marked for
4 identification.).

5 BY MR. CHARNAS:

6 Q. Take a look at that Exhibit D
7 please, and tell us whether you recognize
8 what that is.

9 A. (Witness viewing document). Yes.

10 Q. Tell us, sir, what is that?

11 A. I believe we call it a pole car.

12 Q. And what is it, generally speaking
13 -- strike that.

14 Generally speaking, what is a pole
15 car?

16 A. It's a paper record of a series of
17 poles on our system.

18 Q. Now, there is a reference to pole
19 16-37 on this document, correct?

20 A. Correct.

21 Q. And that's pole 16-37 on Hartwell
22 Road in Bedford.

23 A. From what I can tell from the top,
24 I would guess, it doesn't say Bedford, but

1 I'm assuming that it's --

2 Q. I think it says Bedford there.

3 A. -- Bedford there, yes.

4 Q. So is that fair to say...

5 A. Yes.

6 Q. Okay. Now, looking at the column
7 across from 16-37.

8 A. Um-hum.

9 Q. Where it meets the top column,
10 which says, "Date and place;" do you see
11 that? There are three numbers; 29, 54,
12 and 64.

13 A. Yes.

14 Q. And I take it that reference is the
15 fact that pole 16-37 was replaced in 1929,
16 1954, and 1964.

17 A. I believe so, yes.

18 Q. And looking at the column just to
19 the left of that box we just referenced,
20 there's a 16 and that's under the column
21 date set.

22 Is it fair to say that that
23 reference is the fact that pole 16-37 was
24 initially set in 1916?



1 A. I believe that's the case.

2 Q. Now, in the column to the left of
3 what we've just been talking about. There
4 is a column, "Location diagram poles;" do
5 you see that?

6 A. Yes.

7 Q. Now, generally speaking, what is
8 that? What are those references?

9 A. I believe it's an attempt to draw
10 away this pole that's relative to the
11 landscape out there at the time.

12 Q. You see at the top, there's a
13 horizontal line with a B on the left and
14 a B on the right, at the top.

15 A. Yeah.

16 Q. What is that reference; do you
17 know?

18 A. I do not know.

19 Q. And then a little bit further down,
20 there is a circle and it says TV; do you
21 know what that references?

22 A. I believe it means that cable TV
23 was added to that pole at some point.

24 Q. And look to the right of that first